

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08-CR-00259-RJC-DCK

USA

v.

LORETTA BLAKENEY-HERRON (1)

)
)
)
)
)
)

ORDER

THIS MATTER is before the Court upon another motion of the defendant pro se for a sentence reduction. (Doc. No. 422; see also Doc. Nos. 310, 321, and 322: Motions to Reduce Sentence). In the instant the motion, the defendant claims she was denied the benefit that comes with completing the Residential Drug Addiction Program based on a “personal vendetta” by her drug treatment supervisor, who allegedly expelled her the day before graduation on November 16, 2016.¹ (Id. at 1). Thus, she asks the Court to reduce her sentence by one year.

Title 18, United States Code, Section 3621(e)(2)(A) gives the Director of the Bureau of Prisons the discretion to determine whether a prisoner has successfully completed a residential substance abuse treatment program. Upon successful completion of such a program, the Bureau of Prisons may reduce the prisoner’s remaining sentence by up to one year. 18 U.S.C. § 3621(e)(2)(B). “[T]he statute expressly vests the Bureau of Prisons with broad discretion to grant or deny sentence reductions to eligible prisoners.” Pelissero v. Thompson, 170 F.3d 442, 444 (4th Cir. 1999). If a defendant is not given the sentencing credit she thinks she deserves, her

¹ The instant motion was sent in an envelope postmarked April 28, 2017. (Doc. No. 422-2).

recourse is first to seek an administrative remedy, 28 C.F.R. § 542.10, and after that to file a petition under 28 U.S.C. § 2241 in the district of confinement.² Id.

IT IS, THEREFORE, ORDERED, that the defendant's pro se motion for sentence reduction, (Doc. No. 422) is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation Office.

Signed: June 1, 2017

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge



² The defendant is serving her sentence at FCI-Greenville in Greenville, Illinois. (Doc. No. 422: Motion at 1).